

**5167. Adulteration and misbranding of alleged mustard seed. U. S. \* \* \*  
v. 443 Bags \* \* \* of Alleged Mustard Seed. Consent decree of  
condemnation and forfeiture. Product ordered released on bond.  
(F. & D. No. 7512. I. S. Nos. 11568-1, 11569-1. S. Nos. C-540, C-541.)**

On June 7, 1916, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 443 bags of alleged mustard seed, each bag weighing 160 pounds, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on January 27, 1916, by the North American Mercantile Co., San Francisco, Cal., and transported from the State of California into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that rapeseed, brown seed, and dirt had been substituted wholly for mustard seed, which the article purported to be.

Misbranding was alleged for the reason that the article was an imitation of mustard seed, in that it consisted wholly of rapeseed, brown seed, and dirt; and for the further reason that it was offered for sale under the distinctive name of another article, to wit, mustard seed.

On July 27, 1916, Katherine A. Jamison, Christina Arbuckle, and William A. Jamison, copartners, trading as Arbuckle Bros., Chicago, Ill., claimants, having admitted the allegations contained in the libel and having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimants upon the payment of all the costs in the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that all marks and brands indicating that the product was mustard seed should be removed from the bags containing it, and that it should be relabeled as rapeseed under the supervision of a representative of the Bureau of Chemistry.

CARL VROOMAN, *Acting Secretary of Agriculture.*